

REMARKS/ARGUMENTS

This Amendment and Response to Office Action is submitted in response to the Office Action of July 8, 2003, which rejected all of the pending claims 1-36. The bases for rejecting these claims are listed below:

- Claims 1-3, 15-17, and 29-31 were rejected under 35 U.S.C. § 102(a & b) as being anticipated by Grady et al. ("Grady"); and
- Claims 4-14, 18-28, and 32-36 were rejected under 35 U.S.C. § 103(a) as being obvious over Grady et al., as applied to claims 1, 15, and 29 above, and further in view of U.S. Patent No. 6,083,276 to Davidson ("Davidson").

In response to these rejections, Applicants have made certain amendments and arguments that distinguish the claims from the cited prior art references. A submission of formal drawings is also filed herewith that overcomes the draftsman's objections to the current drawings.

In addition to overcoming the cited references, certain amendments are also made to the claims to improve their form and to correct typographical errors. The bases for overcoming the rejections are discussed below.

A. Rejection of Claims 1-3, 15-17, and 29-31 under 35 U.S.C. § 102 as Anticipated by Grady

The Office Action rejected claims 1-3, 15-17, and 29-31 under 35 U.S.C. § 102 as being anticipated by Grady. Specifically, the Office Action states:

Grady et al, teaches a system which including 'mapping a descriptive language including a data description having a structure complexity into an object oriented data presentation' [see Abstract, page 2, 1.1], ... 'identifying the data description' [page 2, item 2], Grady specifically directed to mapping data types in XML schema to classes, ... 'creating an object oriented class including an internal static class wherein the internal static class corresponds to the structure complexity of the data description' [page 4, 1'5, page 6 example the XML schema], as best understood by the examiner, static class analysis is a kind of data flow analysis that computes a set of classes for each variable and expression in a method is integral part of object oriented language such as C++.

In response to this rejection, Applicants have amended independent claims 1, 15, and 29 to further clarify that its claims are directed to subject matter that distinguishes from Grady. In particular, Applicants have amended these claims to clarify that a complex-type data element is identified in the data description and that this complex-type data element is used to generate an object oriented class comprising an internal static class that corresponds to the structural complexity of the data description. In addition, it was clarified that the created object oriented class is executable as run-time code. None of these concepts are taught or suggested by Grady.

Grady describes a straightforward process by which the elements of an XML schema can be modeled with Uniform Modeling Language (UML). Grady, however, does not teach the claimed process of identifying a complex-type data element in a data description and using that complex-type data element to generate an object oriented class comprising an internal static class that corresponds to the structural complexity of the data description. Most importantly though, Grady does not disclose or suggest that executable code can be generated based upon a UML map. To properly anticipate a claim, each and every limitation of claim must be found in the cited reference. M.P.E.P. § 2131. Because Grady fails to teach each and every limitation of amended claims 1, 15, and 29, the rejection of these claims is hereby traversed. Since claims 2, 3, 16, 17, 30 and 31 depend from claims 1, 15, and 29, respectively, the rejection of these claims is traversed for the same reasons. Applicants therefore request that the rejection of these claims be reconsidered and withdrawn.

B. Rejection of Claims 4-14, 18-28, and 32-36 as Obvious in View of the Combination of Grady with Davidson

The Office Action also rejects claims 4-14, 18-28 and 32-36 as being obvious in view of the combination of Grady with Davidson. These rejections are traversed based on the following.

Regarding claims 4-8, 18-22, and 32-36, each of these claims depend from independent

claims 1, 15, and 29, respectively, and therefore incorporate all of the limitations of these independent claims. Since independent claims 1, 15, and 29 all distinguish from Grady, the combination of Grady with Davidson cannot disclose or suggest all of the limitations of claims 4-8, 18-22, and 32-36. Since the rejection of claims 4-8, 18-22, and 32-36 under §103(a) has been traversed, Applicants request that the rejection of these claims be reconsidered and withdrawn.

Regarding independent claims 9 and 23, the Office Action states that these claims are obvious because:

[i]t would have been obvious to one of the ordinary skill in the art at the time of applicant's invention to incorporate the teachings of Davidson et al., into UML for XML schema mapping specification of Grady et al., because both are directed to mapping the schema [see Grady et al., Abstract, page 2:1.1; Davidson: fig. 1, element 122], both are directed to descriptive language including a data description [see Grady et al. XML example page 6; Davidson: col. 8, line 10-20, col. 21, line 50-65, fig. 3A-4A] and both are directed to XML environment and are both from the same field of endeavor.

Office Action, p. 9. This argument, however, fails to establish a prima facie case of obviousness.

The Manual of Patent Examining Procedure requires the Patent Office to establish a prima facie case of obviousness in order to reject a claim for obviousness:

The examiner bears the initial burden of factually supporting any prima facie conclusion of obviousness. If the examiner does not produce a prima facie case, the applicant is under no obligation to submit evidence of non-obviousness.

M.P.E.P § 2142. In the present case, the Office Action has not met this burden because it has not established that the combination of Grady with Davidson teaches all of the limitations of the claimed invention.

As stated previously, Grady describes a straightforward process by which the elements of

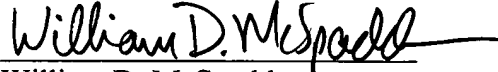
an XML schema can be modeled with Uniform Modeling Language (UML). Grady, however, does not teach the claimed process of “creating a set of object oriented classes including a set of static classes” that translate the Schema into an object oriented language. The passage cited by the Office Action as allegedly teaching this limitation (page 4, 1’5, page 6 of Grady) only describes how a schema element can be mapped into a UML element. There is no teaching of creating object-oriented classes with static subclasses in Grady. Accordingly, Grady fails to teach all of the limitations of claims 9 and 23. There is also no teaching of this concept in Davidson. Since Grady and Davidson fail to disclose or suggest all of the limitations of claims 9 and 23, the rejection of these claims over the combination of Grady with Davidson has been traversed. Similarly, since claims 10-14 and 24-28 depend from claims 9 and 23, respectively, the rejection of these claims is also traversed. Applicants therefore request that the rejection of claims 9-14 and 23-28 as being obvious in view of the combination of Grady and Davidson be reconsidered and withdrawn.

CONCLUSION

Applicants submit that the amended claims are now in condition for allowance and request that a notice of allowance be promptly issued. Because this document is filed more than three months after the mailing date of the Office Action, a Petition for Extension of Time – One Month and a check in the amount of \$55.00 is being filed with this document. Because this Amendment and Response to Office Action adds no new claims, no claims fees are required with this filing. In the event, however, that additional fees are required to complete this filing, the Director is authorized to deduct any deficiencies from deposit account number 13-0480, client matter number 68156755.5008.

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Respectfully submitted,

A handwritten signature in black ink, reading "William D. McSpadden", with a long horizontal flourish extending to the right.

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